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Planning Commission Study Session

TO: PLANNING COMMISSION

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MEETING DATE: AUGUST 5, 2020

SUBJECT: Z20-05 LAND DEVELOPMENT CODE REFRESH

STRATEGIC INITIATIVE: Exceptional Built Environment

This text amendment is in response to a Town Council request for a review and modernization of the Land Development Code.

RECOMMENDED MOTION

- A. Staff requests that the Planning Commission initiate a text amendment to the Land Development Code, Chapter I Zoning Regulations, Division 1: General Provisions, Division 2: Land Use Designations, Division 3: Overlay Zoning Districts, Division 4: General Regulations, Division 5: Administration, and Division 6: Use Definitions; Chapter II Design Standards and Guidelines; Chapter III: Subdivision Regulations, Glossary of General Terms, Appendix 1: Graphics and the Town of Gilbert Zoning Map. The intent is to modernize the Land Development Code, focusing on obsolete regulations, the clarification of unclear requirements, resolution of discrepancies, simplification of the language and layout, removal of redundant text, replacement of text with tables and graphics and new graphics and format. In addition, amendments will codify the product of a comprehensive review to clarify terms and add cross references where needed.
- B. Conduct Citizen Review meeting to discuss the proposed Land Development Code (LDC) text amendment pertaining to the entire body of the Land Development Code

APPLICANT

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BACKGROUND/DISCUSSION

History

Date	Description
<i>October 2018</i>	Town Council appoints a Land Development Code Subcommittee (LDC Subcommittee)
<i>November 2018 – March 2020</i>	Bimonthly public LDC Subcommittee meetings

Overview

The LDC subcommittee was comprised of Council Members Brigette Peterson, Jordan Ray and Eddie Cook. The committee was provided direction by the mayor to focus on key target goals such as removing outdated regulations, simplifying confusing language and eliminating redundancy. The following are the reminder target goals that the LDC Subcommittee used to evaluate and discuss each amendment topic:

- Eliminate obsolete regulations
- Clarify unclear regulations
- Simplify the language and layout
- Remove redundant text
- Replace text with tables and graphics when possible
- Take a proactive approach

Staff worked with the subcommittee on a bi-monthly basis to review Chapter I, Zoning Regulations Articles 1-6 which encompassed 37 sections and over 500 pages. Discussion topics stemmed from:

- Past resident and applicant input/comment
- Request for clarifications
- Planned Area Development request for modifications
- Policies
- Interpretations

- Changes to the Arizona Revised Statutes
- Staff suggestions

As the subcommittee discussed various topics many were tagged for research. The LDC Subcommittee decided in March that it was best to circle back to some of the research topics and make decisions rather than to review Chapter III Subdivision Regulations. Chapter III's edits were more more clarifications, removal of obsolete requirements and formatting than changes to the content. Therefore, staff Reviewed Chapter III, Subdivision Regulations independently and will bring forward the text recommendations that were not overseen by the LDC Subcommittee in more specific detail to allow for Planning Commission oversight of the suggested modifications.

The LDC Subcommittee also identified some areas of the Code that they felt required more attention than this update could provide. The Off-Street Parking Table was not touched. It was determined that in the next year or two the parking requirements will need to be reviewed for recommended changes by a Parking Consultant. The same need for a specialized consultant was found to be true for the Wireless Communication Facilities and Over Air Devices. Swimming pool site regulations were not amended to preserve the grandfathered rights. Animals, Maintenance and Enforcement were three other topics identified that could not be properly amended until the Municipal Code was updated.

Key Changes

Below is a list of the big picture changes that were made to the Land Development Code:

- Logical reorganization of the content
 - Glossary/Use Definitions combined and moved forward
 - Use Regulations Table moved forward
- Each district has Zoning District Regulations for primary structures and accessory structure are on a single page with a supporting graphic
- Redundant text was relocated to a single location. This is especially evident with many of the topics now located in the Site and Supplement Use Regulations.
- Secondary Dwellings and Guest Quarters were combined into a single Accessory Dwelling Unit (ADU)
- Permanent Sign Code was reformatted into a table with minor modification
- Walls and Fence Regulations were reformatted into a table with minor modifications
- Common procedure text was replaced with flow charts
- Imbedded graphics
- Links
- Consistent Branding

FUTURE STUDY SESSIONS

Due to the enormity of the text reformatting and streamlining a typical line item stick document will not be provided. A full draft of the document will be released for public review in the coming month. A spreadsheet noting content changes will be provided for reference. Subcommittee recommended changes to the LDC will be brought forward for review at the September and October Study Sessions.

- October 13, 2020 RDC Public Hearing
- November 4, 2020 Planning Commission Public Hearing
- December 15, 2020 Town Council Public Hearing

PUBLIC INPUT

The refreshed LDC Draft will be published on the Town website for public review. Graphics will be added to support the LDC Refresh but may not be included in the draft document.

STAFF RECOMMENDATION

- A. Staff requests that the Planning Commission initiate a text amendment to the Land Development Code.
- B. Conduct Citizen Review meeting to discuss the proposed Land Development Code (LDC) text amendment.

Respectfully submitted,



Amy Temes
Principal Planner